

CORRECTED final
CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
March 25, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation – Ashok Aurora, Hindu
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Proclamations
-

UNFINISHED BUSINESS

1. Waterwalk Redevelopment Project Plan.
(Continued from March 18, 2003)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

2. Request from Kansas Aviation Museum for Funding Assistance.
(Continued from March 18, 2003)

RECOMMENDED ACTION: Select an option and /or consider a loan from the historic preservation fund with consideration of a two-year deferral of payments

NEW BUSINESS

3. Façade Improvement Program Revisions.

The Façade Improvement Program was originally intended for properties with two to three story structures. The City has received enough Façade Improvement Program applications from larger structure owners to warrant consideration of Program guideline changes.

RECOMMENDED ACTION: Approve the revised guidelines.

4. East Bank Development Agreement – Revised Site Plan.

The revised site plan diverts Lewis Street traffic to Waterman using a Waterman-Lewis connector.

RECOMMENDED ACTION: Approve the revised site plan and
Vacation of Lewis Street.

5. 29th Street North Improvements, from ½ Mile West of Maize Road to Maize Road, and from ½ Mile East of Ridge Road to West Street. (District V)

The plan would pave 29th Street North, east of Ridge Road, with a low cost rural construction standard to provide for hard surfacing for the traffic that currently exists in this corridor

RECOMMENDED ACTION: Approve the design projects.

6. Center for Health and Wellness Lease.

The Northeast Center for Health and Wellness is requesting the lease payments be forgiven and the land be donated to the Center.

RECOMMENDED ACTION: Authorize renegotiation of the lease; authorize
necessary signatures.

7. Amendment to Ordinance – Municipal Court Costs.

The proposed Ordinance will help defray Court operation costs.

RECOMMENDED ACTION: Approve the fee increase and first reading
of the Ordinance.

8. Fee Adjustments –Account Origination Fees.

The proposed Ordinance adjusts fees to recover administration costs of issuing origination fees.

RECOMMENDED ACTION: Approve the fee increase and first reading
of the Ordinance.

9. Purchasing and Budget Adjustment Limits.

The City's 1968 Charter Ordinance established thresholds for bid procedures. The proposed Ordinance updates the threshold and establishes new limitations.

RECOMMENDED ACTION: Approve first reading of the Ordinance amending
Chapter 2.52 of the City Code and Charter Ordinance
No. 151.

10. Capital Project Reductions.

As part of the budget strategies to rebalance the General Fund, several capital projects that had previously received General Fund support and where \$1,006,000 in aggregate savings can now be identified will be revised and the savings credited to the General Fund.

RECOMMENDED ACTION: Approve the capital project amendments and the necessary funding transfers.

11. Establishment of Neighborhood City Hall. (District II)

A fifth Neighborhood City Hall for District II is proposed to be established in the Magdalen School facilities.

RECOMMENDED ACTION: Approve project; authorize fees for final design; authorize issuance and accept bids, subject to Council approval; adopt Resolution.

12. Northeast Baseball/Softball Complex.

RECOMMENDED ACTION: **Approve Option #2 OR 3 and authorize Staff to work with the architect to complete the work in accordance with available budget with identified savings; seek additional funding support from the Friends organization, and solicit volunteer assistance to perform some of the initial project work that might reduce the overall project cost.**

13. Vehicle Rental Occupation Tax.

A Rental Vehicle Occupation Tax of 2% per rental day is proposed to generate approximately \$700,000 annually, less administrative and collection costs.

RECOMMENDED ACTION: Approve first reading of the Ordinance and necessary budget amendments.

CITY COUNCIL AGENDA

14. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

15. Report of the Board of Bids and Contracts Dated March 24, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

16. Applications for Licenses to Retail Cereal Malt Beverages:

| <u>Renewal</u> | <u>2003</u> | <u>(Consumption on Premises)</u> |
|---------------------|---------------------------|---|
| Isabel Salome | Angelas Café* | 10901 East Kellogg |
| Nhung Nguyen T. | My Canh Restaurant* | 3205 East 31 st Street |
| Kimberly A. Gibson | Braeburn Golf Course @WSU | 4201 East 21 st Street North |
| <u>New Operator</u> | <u>2003</u> | <u>(Consumption off Premises)</u> |
| Hossein M. Haeri | Diamond Shamrock | 851 South Meridian |

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

17. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

18. Preliminary Estimates:

- a) Hoover, Third to St. Louis to serve Fruitvale Park & Unplatted Tracts - south of Central, east of I-235. (472-83530/765737/490848) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$121,000
- b) Kessler, from Dora to May Street to serve West Warehouse Addition - south of Harry, east of West Street. (472-83529/765736/490847) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$159,000
- c) Water distribution system to serve Whispering Lakes Estates - south of Harry, east of 143rd Street East. (448-89758/735098/470768) Does not affect traffic. (District II) - \$68,000
- d) Water supply line to serve White Tail Addition - south of 13th Street North, east of K-96. (448-88759/735092/470762) Does not affect traffic. (District II) - \$160,000
- e) Lateral 490 Southwest Interceptor Sewer to serve Tyler's Landing Addition - south of 37th Street North, east of Tyler. (468-83577/743971/480659) Does not affect existing traffic. (District V) - \$356,000.00
- f) Falcon from the south line of Willow Point south, west, south and east to the east line of Lot 21, Block B; Falcon Court (Lots 32 through 40, Block A) from the south line of Falcon, south to and including the cul-de-sac; sidewalk along one side of Falcon to serve Eagle's Landing at North Oliver Second Addition - south of 45th Street North, west of Oliver. (472-83466/765755 /490866) Does not affect existing traffic. (District I) - - \$312,000.00
- g) 2003 sanitary sewer reconstruction Phase 2 - south of Pawnee, east of Oliver. (468-83587 /620366 /663487) Does not affect existing traffic. (District III) - \$75,000.00

RECOMMENDED ACTION: Approve and file.

19. Petitions to Pave Streets to Serve The Waterfront Addition – North of 13th, East of Webb. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

20. Minutes of Advisory Boards/Commissions:

Wichita Employees' Retirement Board, January 15, 2003
Wichita Employees' Police & Fire Retirement Board, January 16, 2003
Police & Fire Retirement Board, January 22, 2003
Wichita Employees' Police & Fire Retirement Board, February 6, 2003
Board of Park Commissioners, February 10, 2003
Wichita Public Library Board, February 2003

RECOMMENDED ACTION: Receive and file.

21. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

22. Agreements/Contracts:

- a) Tennis Program development marketing extension.
- b) Downtown Transit operations and Main Library security services.
- c) Aviation Festival marketing support.
- d) Equus Beds Aquifer Storage and Recovery Project – supplemental.
- e) Seasonal and laid-off worker employment.
- f) Respread assessment – Sawmill Creek – North of 45th Street North, east of Rock Road. (District II)
- g) Supplemental for construction engineering and staking for Evergreen Addition – north of 21st Street, west of Maize Road. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

23. 2003 Insurance Program.

RECOMMENDED ACTION: Ratify the 2003 insurance package and programs.

24. Improvements to Riverside Tennis Center.

RECOMMENDED ACTION: Reject the proposals; and continue to use outdoor facility until a viable public-

private partnership can be brought forward.

25. Relocation of Westar Energy Electric Lines for the Hoover Road Improvement and Cessna Aircraft Facility Expansion. (District IV)

RECOMMENDED ACTION: Approve the Agreement and authorize necessary signatures; adopt the Resolution.

26. Settlements of Litigation:

- a) 7092 East Kellogg. (District II)
- b) 11417 West Kellogg. (District V)
- c) 1251 North Broadway. (District VI)

RECOMMENDED ACTION: Authorize payment as full settlement.

27. Property Acquisition:

- a) Leasehold on 8474 East Kellogg. (District II)
- b) 132 North Mosley.

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

28. Sale of Surplus Property:

- a) Southeast corner of 135th Street West and 21st Street North. (District V)
- b) 432-434 South Belmont. (District II)
- c) 1137 North Broadway. (District VI)

RECOMMENDED ACTION: Declare the property surplus and approve for sale.

29. Second Reading Ordinances: (First read March 18, 2003)

- a) Southwestern Bell Telephone Franchise Agreement.

An Ordinance of the City of Wichita, Kansas, granting to Southwestern Bell Telephone L.P. d/b/a SBC Kansas, a telecommunications local exchange service provider, a Contract Franchise for the providing of local exchange service in the City of Wichita; prescribing the terms of said Grant and relating thereto; and repealing Ordinance No. 43-128.

(Item 29 continued)

b) Electrical Code Ordinance Changes.

An Ordinance amending Sections 19.08.015, 19.08.061, 19.08.150, 19.08.155, 19.12.010, 19.12.040, 19.12.050, 19.12.090, 19.12.100 and 19.12.120 of the Code of the City of Wichita, Kansas and repealing the originals thereof; creating Section 19.12.180; and repealing Sections 19.08.018, 19.12.060, 19.12.110, 19.12.150, 19.12.170 and 19.12.190; all pertaining to the Electrical Code of the City of Wichita, Kansas.

c) Public Hearing and Tax Exemption Request – Product Manufacturing Corporation. (District IV)

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Product Manufacturing Corporation so exempted.

d) Revised Fee Structure for Street Right-of-Way Permits.

1. An Ordinance amending Section 10.08.180 of the Code of the City of Wichita, Kansas pertaining to the charge for minor street or minor use privilege permits in the City and repealing the original of said Section.
2. An Ordinance amending Sections 10.12.010, 10.12.030, 10.12.040, 10.12.050, 10.12.060, 10.12.070, 10.12.080, 10.12.110, 10.12.120, 10.12.130, 10.12.140, 10.12.160, 10.12.180 and 10.12.190 of the Code of the City of Wichita, Kansas, pertaining to the construction of all public sidewalks, curbs, gutters and private drive approaches in the City and repealing the originals of said section.
3. An Ordinance amending sections 10.20.030, 10.20.040; 10.20.050, 10.20.060, 10.20.070, 10.20.080, 10.20.090, 10.20.100, 10.20.150, 10.20.160 and 10.20.170 of the Code of the City of Wichita, Kansas, pertaining to any opening in the surface of a public place made in any manner whatsoever, except an opening into a lawful structure below the surface of a public place, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the public place in the City and repealing the originals of said Sections.
- 4) An Ordinance amending Section 11.68.150 of the Code of the City of Wichita, Kansas, pertaining to the fee for the hooding of any parking meter in the City and repealing the original of said Section.
- 5) An Ordinance amending Section 18.24.040 of the Code of the City of Wichita, Kansas, pertaining to the permit to use streets in the City and repealing the original of said Section.

e) Transient Merchant Ordinance Revisions.

An Ordinance creating Chapter 3.95 of the Code of the City of Wichita, Kansas, pertaining to transient merchants and temporary sales of certain merchandise within the City, and repealing the original of said Chapter 3.95 and also repealing Section 3.08.280 of the City Code.

f) ZON2002-52 – west side of Woodlawn, south of 29th Street North. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2002-52

(Item 29 continued)

- g) ZON2003-00001 – South of Second Street North, West of Athenian. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2003-00001

- h) ZON2003-00002 – northeast corner of Maple and Robin – 254 South Robin. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2003-00002

- i) A03-08 – west of Maize Road, adjacent to Parkdale Street. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-08

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

30. FAA Master Site Lease Supplement.

RECOMMENDED ACTION: Approve the supplement; authorize the necessary signatures.

31. Airport Improvement Program Grant Application.

RECOMMENDED ACTION: Approve the Application and receipt of funds; authorize necessary signatures.

Adjournment
